

**To:** Beck, Nancy[Beck.Nancy@epa.gov]  
**Cc:** Cleland-Hamnett, Wendy[Cleland-Hamnett.Wendy@epa.gov]; Wise, Louise[Wise.Louise@epa.gov]; Morris, Jeff[Morris.Jeff@epa.gov]; Blair, Susanna[Blair.Susanna@epa.gov]; Pierce, Alison[Pierce.Alison@epa.gov]; Schmit, Ryan[schmit.ryan@epa.gov]; Celeste, Laurel[celeste.laurel@epa.gov]  
**From:** Strauss, Linda  
**Sent:** Wed 7/19/2017 12:31:49 PM  
**Subject:** Re: Now asking for an interview - Matt Brown, AP, on Asbestos; DDL ASAP

## Ex. 5 - Deliberative Process

Sent from my iPhone

On Jul 19, 2017, at 8:00 AM, Beck, Nancy <Beck.Nancy@epa.gov> wrote:

## Ex. 5 - Deliberative Process

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Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator, OCSPP

### Ex. 6 - Personal Privacy

**From:** Strauss, Linda  
**Sent:** Tuesday, July 18, 2017 11:50 AM  
**To:** Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>  
**Cc:** Blair, Susanna <Blair.Susanna@epa.gov>; Pierce, Alison <Pierce.Alison@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>  
**Subject:** Now asking for an interview - Matt Brown, AP, on Asbestos; DDL ASAP

## Ex. 5 - Deliberative Process

Linda

**From:** Strauss, Linda  
**Sent:** Tuesday, July 18, 2017 11:47 AM  
**To:** Blair, Susanna <[Blair.Susanna@epa.gov](mailto:Blair.Susanna@epa.gov)>  
**Cc:** Schmit, Ryan <[schmit.ryan@epa.gov](mailto:schmit.ryan@epa.gov)>  
**Subject:** FW: follow-up -- RE: LINDA/OPP: Matt Brown, AP, on Asbestos; DDL ASAP

## Ex. 5 - Deliberative Process

Linda

**From:** Daguillard, Robert  
**Sent:** Tuesday, July 18, 2017 10:29 AM  
**To:** Strauss, Linda <[Strauss.Linda@epa.gov](mailto:Strauss.Linda@epa.gov)>  
**Subject:** RE: follow-up -- RE: LINDA/OPP: Matt Brown, AP, on Asbestos; DDL ASAP

## Ex. 5 - Deliberative Process

Thanks, R.

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Hi Robert-

Thanks for the time today and for your response.

However, as mentioned during our phone conversation, we're looking for an explanation of the reasoning behind EPA's plan to focus its risk evaluation on prospective or ongoing uses of asbestos and the other 9 toxins.

Three specific questions:

--What is the rationale for not reaching back to evaluate the risk associated with legacy uses? In the case of asbestos, for example, such a focus would seemingly disregard the millions of tons of asbestos known to be in use throughout the country (as insulation, wrapping, building materials, etc) and instead be limited to hundreds of tons of asbestos, primarily imported.

-The June risk scoping evaluation appears to contradict EPA's Jan. 19, 2017 document entitled "Procedures for Chemical Risk Evaluation under the Amended Toxic Substances Control Act," which says "EPA interprets the amended TSCA as requiring that risk evaluations encompass all manufacture, processing, distribution in commerce, use, and disposal activities that constitute the conditions of use.... (T)he statutory text and purpose are best effectuated through a more encompassing reading" (<https://www.federalregister.gov/documents/2017/01/19/2017-01224/procedures-for-chemical-risk-evaluation-under-the-amended-toxic-substances-control-act>)

Has the EPA changed its position on what constitutes "conditions of use" since January, and if so, why?

-Are the conditions of use now “locked down” as suggested in the same EPA Jan 19 document, meaning there is no chance to alter the scope of the EPA review at a later date? “It will not be practicable to meet the statutory deadlines if stakeholders are free to identify additional conditions of use later in the process—for example, on the proposed risk determination.”

Thanks for your time and help.

Let me know if any of these three questions need further clarification.

Matt Brown

**Matthew Brown**

Associated Press Correspondent

**From:** Strauss, Linda

**Sent:** Monday, July 17, 2017 5:18 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** FW: follow-up -- RE: LINDA/OPP: Matt Brown, AP, on Asbestos; DDL ASAP

Here you go, Robert. OGC Approved.

**1. Follow-up Question:** “Why is EPA not including legacy?”

## **Ex. 5 - Deliberative Process**

2. **Original Question:** “I see for asbestos scoping document (pgs 24-25 that EPA is not going to consider “legacy” uses. Hoping to get some further details. For example, wouldn’t that exclude most asbestos that’s already out there \_ in other words, asbestos that’s currently in use?”

## **Ex. 5 - Deliberative Process**

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## **Ex. 5 - Deliberative Process**

# Ex. 5 - Deliberative Process

**From:** Daguillard, Robert  
**Sent:** Monday, July 17, 2017 9:13 AM  
**To:** Strauss, Linda <[Strauss.Linda@epa.gov](mailto:Strauss.Linda@epa.gov)>; Dunton, Cheryl <[Dunton.Cheryl@epa.gov](mailto:Dunton.Cheryl@epa.gov)>; Pierce, Alison <[Pierce.Alison@epa.gov](mailto:Pierce.Alison@epa.gov)>; Blair, Susanna <[Blair.Susanna@epa.gov](mailto:Blair.Susanna@epa.gov)>  
**Subject:** LINDA/OPP: Matt Brown, AP, on Asbestos; DDL ASAP

Good morning,

# Ex. 5 - Deliberative Process

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

**Ex. 6 - Personal Privacy**